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was, till recently, to grant permission for instituting civil suits where the applications were made by members of the family of the original registry-holders to recover possession of the lands alienated by mortgage etc., and to refuse such permission where the lessees sought to secure possession of the lands from the original registry-holders. Instead of continuing this policy, the Government had of late been refusing the applications in *all* cases, and that was a matter of great hardship and loss to the holders of the *Kandukrishi* lands. Since the Royal Proclamation of 14th Kumbhom 1061 and the Notification dated 17th Meenam 1067 had declared in unmistakeable terms that the owners of such lands had only occupancy rights and nothing more, any amount of litigation that there might be in respect of such lands could only have reference to such rights, and it could not in any way add to or curtail the rights of the Government over the lands in their capacity as *Jenmi*. The Member therefore requested that, in conformity with the long-established practice and policy followed by the Government, permission should be freely given in future, for the institution of civil suits in respect of the *Kandukrishi* lands, without prejudice to the interests of the Sirkar, and if that was not practicable, that a time-limit should be prescribed and notified in the Gazette within which all applications for permission to institute such suits might be invited and granted.

Dewan's reply.—The views of the Member are noted.

12. *Modification of the Proceedings of the Government dated 15th September 1908, regarding Thiruppuvaram.*

Mr. Narayanar Janardanar (Member, Jenmies of the Trivandrum and Padmanabhapuram Divisions) said that the decisions of the High Court, before and after the Proceedings of the Government dated 15th September 1908, were against the principles laid down in the Government order. There was no doubt that the tenor of the High Court decisions was that the responsibility in respect of *thiruppuvaram* rested with the Government. The G. O. stated that *thiruppuvaram* was a charge or assignment on certain lands, that the lands belonged to the Sirkar and that it was difficult for the Government, at that distance of time, to ascertain exactly the origin and nature of such charge or assignment. The Member said that *thiruppuvaram* was really a portion of the tax due to the Sirkar on certain lands that had belonged to the *Jenmies* and which, under the plea that the holders thereof had died escheat, the Government sold in auction or registered on payment of *vilayarthom* under such tenures as *Otti, Pattom, Erayali, Oozhiaviruthi*, &c. The existence of such a procedure and the injustice of it were also

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admitted by the Government at one time, and the Gov ment Notice, No. 990, dated 28th Audi 1062, pr it. The *Jenmies* also believed that *thiruppuvaram* the interest made payable to the *Jenmies* for the m lent by them to the Government, if it was not a return the pecuniary help rendered by the *Jenmies*. The above facts were also recognised by the High Court (T. L. R. XXII, pages 1 to 7). The G. O. stated that, till the Revenue Settlement, the Government would take no res sibility in respect of *thiruppuvaram*. The Member questio whether that attitude of the Government was consistent the fact that the *thiruppu* arose out of the course adopte the Government in the past in dealing with the *kanapat* lands of the *Jenmies* on the ground that the *kanapat* holders had died escheat. Owing to the said action of Government and owing also to the weak position of *Jenmies*, the *Jenmies* had not only undergone much loss the past but they were experiencing considerable difficul even to-day in the matter of recovering the *thiruppuva* dues. The principle enunciated in the Notice of 1062 ready referred to was that the unjustifiable action of Government should be stopped and that such rights as *Kudiyans* possessed over the lands held by them under *Jenmies* should alone be deemed to have escheated to Government.

The fear that the Government seemed to entertain that, if the *thiruppu* be ordered to be collected along the tax due to the Sirkar, it would be giving to the *Jen* a greater right over the Government than they now pos sed. But the fact remained that whatever right the *Jenm* originally had over the Government could never destroyed.

The Member said that, whenever the Sirkar tax any properties on which a *thiruppu* was due had to written off, the *thiruppu* should be written off o in those cases in which the *Jenmi* concerned was prepared to take up the land for the mere sake of *thiruppu*, and when it became subsequently possible recover the dues to the Sirkar on the same land, the ri of the *Jenmi* to the *thiruppu* on such land should also rev

If a suit be instituted to recover the arrears of *ruppu* due on an *Erayali* or *Oozhiaviruthi* land, the p of limitation invariably arose, where action was tak against the person liable, but, when the property w proceeded against, the Sirkar had necessarily to be ma a party to such suit (T. L. R. Vol. XXII, p. 1 to 7). Co siderable hardship was also experienced at the hands of t

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Revenue officers in the matter of executing the decrees. It was not ordinarily possible in such cases to bring the lands to sale, because there was the contingency of the auction-purchasers having to perform the services attaching to the lands. It was also doubtful if the property could be alienated for a money consideration and whether such alienations, if made, would be valid. (T. L. R., Vol. IX, p. 169; Vol. X, p. 60; Vol. XII, p. 191; Vol. XVIII, p. 157; Vol. II, p. 218). Such were the difficulties attendant on the execution of decrees even if they were obtained. The Member then said that he had himself filed a suit in respect of an *Oozhiavirutki* land as O. S. No. 91 of 1079 in the Trivandrum District Court, impleading the Sirkar as a party, secured a favourable decision, and executed the decree. But that related only to the dues from one person, and the Member had similar arrears due from several others, and the trouble and cost involved in instituting suits against each of the defaulters, with the Sirkar as a party, could be better imagined than described.

Having regard to the above facts, the Member requested that the Government might be pleased to reconsider their order and sanction the *thiruppus* being recovered by the Sirkar Revenue authorities and paid in paddy to the *Jenmies* concerned. Such a procedure would, if adopted, be convenient to the Government and the *Jenmies* alike.

Dewan's reply.—The G. O. will be reconsidered with reference to what the Member has said and also with reference to the later decisions of the Courts.

(2) Forest Revenue.

13. ***Abandonment of the proposed Velimala Reserve.***

Mr. M. Sivathanu Pillai (Member, Thovala Taluk) said that he had been bringing to the notice of the Government, at successive sessions of the Assembly, the subject of the unnecessary reservation of forests that had been going on for years and the necessity for setting apart areas, within a mile of human habitations, for the use of the ryots, to supply them with manure leaves, agricultural implements, fuel, etc. The necessity for such areas in the Thovala taluk was conceded by both the Conservator of Forests and the Dewan Peishkar. The Government had also laid down as their policy that the *further* reservation of forests need *not* be undertaken. In spite of all the above circumstances and the repeated protests of the ryots, the Velimala was recently notified for reservation. The Velimala lay between Nanjanad and Edanad, and for a long time the ryots had been finding their agricultural requisites from it. The Velimala was so conveniently situated

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